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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/022,249
Filing Date	August 15, 2000
First Named Inventor	Peter Allen SMITH
Group Art Unit	3137
Examiner Name	Dennis Dorsey
Attorney Docket Number	CI-328

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.63 (d) (PTO/ISB/28) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, First Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on March 3, 2003  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.105 (c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-0400
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Brian W. Hameder	Registration No. (Attorney/Agent)	15613
Signature	<i>Brian W. Hameder</i>	Date	3/24/03

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Brian W. Hameder
Signature	<i>Brian W. Hameder</i>
Date	3/24/03

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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Certification under 37 CFR 1.8b

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the U.S. Patent and Trademark Office to Fax No. (703) 872-9327 on March 24, 2003.

Brian W. Hameder

Name

Brian W. Hameder

Signature

DOCKET: CU-2328

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Peter Alan Smith	) Group Art Unit: 363
SERIAL NO:	09/622,249	) Examiner: Dennis Dorsey
FILED:	August 15, 2000	) <u>EXPEDITED PROCEDURE</u>
TITLE:	Chair Incorporating Air Cushions	) <u>AMENDMENT AFTER FINAL</u>

Box AF

THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231**AMENDMENT**

Sir:

This is in response to the Advisory Actions dated January 6, 2003 and March 18, 2003, and the Office Action dated January 6, 2003 and having a shortened statutory period for reply set to expire on September 24, 2002. Applicant submits the following responsive amendment in the above-identified application. Also submitted with this amendment is a Request for three-month Extension with the required fee, to extend the period of reply to March 24, 2003. Also submitted with this amendment is a Request for Continued Examination (RCE), and the required fee. The Commissioner is also authorized to charge our Deposit Account No. 12-0400 in the amount of \$36.00 to cover the fee for the four newly added claims which are in excess of twenty. Applicant believes this amendment places the application in better condition for allowance. Applicant's remarks are attached hereto and start on page 2.

IN THE CLAIMS:Please replace the claims with the attached amended claims.Please add new Claims 22-25.